

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

ALLVOICE DEVELOPMENTS US, LLC, )  
                                       )  
                                       Plaintiff,     ) Civil Action No.: 6:09-cv-366 LED  
                                       )  
                                       )  
                                       v.                     )  
                                       )  
MICROSOFT CORPORATION,         )  
                                       )  
                                       )  
                                       Defendant.     )  
                                       )

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**DECLARATION OF MICHAEL K. DAVIS IN SUPPORT OF MOTION  
FOR PROTECTIVE ORDER LIMITING SCOPE OF DISCOVERY  
IN SUBPOENAS *DUCES TECUM* AND *AD TESTIFICANDUM***

I, Michael K. Davis, declare:

1. I am over 21 years of age and am competent to testify as to the matters set forth herein.
2. In 1993, NCC, Inc. ("NCC") was formed to develop, market, and sell a product called Digital Dictate. I was the President of NCC.
3. In November 1994, NCC publicly demonstrated and offered for sale a first version of Digital Dictate (the "Microsoft Word version").
4. In late 1994, NCC began receiving orders for the Microsoft Word version of Digital Dictate.
5. In March 1995, NCC first shipped the Microsoft Word version of Digital Dictate to a paying customer.
6. In early 1995, NCC began offering for sale a second version of Digital Dictate (the "WordPerfect version").

7. In June 1995, NCC first shipped the WordPerfect version of Digital Dictate to a paying customer.

8. On November 13, 1995, NCC filed a patent application disclosing and claiming the invention of which the two versions of Digital Dictate product were embodiments. The application issued as U.S. Patent No. 5,960,447 (the "447 patent").

9. I am one of the named inventors on the '447 patent. The other named inventors are Douglas Holt and Joseph Miglietta.

10. The '447 patent is assigned to Advanced Voice Recognition Systems, Inc.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this the 25th day of May, 2010.



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Michael K. Davis